

### REMARKS

Claims 1 - 3 and 6 - 18 are in this application and are presented for consideration. By this Amendment, Applicant has made some formal changes to the specification and claims. Claim 1 has been revised to more specifically highlight the important aspects of the invention. New independent claims 6 and 12 are similar but slightly more specific. The new dependent claims highlight the important aspects of the combination features according to the invention.

The abstract has been objected to for being more than 150 words. Applicant has now presented a new abstract attached hereto and forming a part of this response.

The drawings have been objected to based on reference characters which have been used to designate two different items. Applicant has made corrections to the specification and Applicant attaches proposed drawing changes for Figs. 6, 7 and 8. It is believed that these changes address the outstanding issues and overcome the objections.

The specification has been objected to as failing to teach how to make and use the invention.

Applicant has amended claim 5 such that the claim is clearer. Further, Applicant notes that the color printed or provided in the material is a misstatement and instead, the printing or color referred to in the claims is printed on a surface in the base tape. This is discussed for example at page 24 starting at line 10. These various surfaces are the surfaces of the layers referenced for example starting at page 23 line 24. Each base tape 101 and 103 is a three layered structure. This basically presents four different inner surfaces which can be printed on and will then be inside the base tape itself. It is believed that this is clear from considering the

specification as a whole but in particular example 5. It is Applicant's position that claim 1 has now been clarified such that the subject matter is clear and all claims define subject matter which is enabled by the disclosure, namely printing on a surface, namely one of the film surfaces that form the base tape.

Claims 1, 4 and 5 have been rejected as being obvious based on Bauman in view of Kettner et al.. Further, claims 1 - 5 have been rejected as being obvious based on Bauman in view of Gaible et al. (U.S. 5,397,182).

Applicant has now clarified the subject matter of Applicant's invention. It is believed that the combination of features set forth in the claims is neither taught nor suggested by the prior art as a whole including the references cited in the rejection.

The invention provides zipper tape which is particularly formed using a printing process, namely wherein a print layer (ink material or the like) is provided on a surface that forms the base tape. As discussed with regard to the examples, the surface of the base tape is printed on, particularly a surface of the three film structure that comprises the base tape. This can be for example the intermediate film which is subject to a gravure printing process, leaving a gravure print layer. The base tape with at least three film layers and also including the gravure print layer on one film are laminated together wherein this laminated film is used as a base tape with an attached extruded male strip structure or female structure. These structures may or may not be colored or clear.

Coloring may be provided wherein color films are used for both the inner most film layer (which is heat sealed on to the inner most layer of the bag) and the outer most film layer (nearby

the mating female or male section). The color film layers are dry laminated each through an intermediate film layer, which can be the printed layer as noted above. Color resin may also be used when an inner most film and an outer most film are extrusion laminated through an intermediate film.

The disclosure also discusses the use of colors on a mating section (such as the female section or the male section by using color resin when the male strip or female strip are molded using a molding machine). However, this aspect of the invention is useful in combination and is not highlighted in the claims as now presented.

The Bauman reference discloses a base tape and a mating section formed respectively which are sealed to each other by an extruded binder layer. This process is quite different from that disclosed according to the invention and results in a different structure. However, most importantly, Bauman fails to teach and fails to suggest printing or coloring a base tape with this connected to a colored or not colored mating section. Bauman et al. fails to suggest the structure of Applicant's invention.

The Kettner et al. reference discloses the use of colors provided to a male strip and to a female strip. This coloring of strip structures is not an essential aspect of the invention and is therefore not highlighted particularly in the claims. Kettner et al. either alone or in combination with Bauman et al. fails to teach and fails to suggest the combination of features claimed, most notably the provision of a base tape with a printed surface, such as an interior or exterior surface. Claim 6 highlights the structural combination wherein the base tape has a three film laminate structure with one of these films having a surface with a gravure print layer (e.g.

ink) thereon. As noted in the specification, this may be a print layer which is disposed within the overall base tape structure. This combination of features is clearly neither taught nor suggested by the prior art. The prior art is instead concerned with coloring the connector parts.

Gaible et al. discloses color provided to the zipper tape structures. However, the color is provided to the male strip and the female strip and different colors are provided to the male strip and female strip. The reference fails to teach and fails to suggest the provision of a base tape element which is provided in combination with a male or female section and wherein this base tape section has a print layer of visible letters, marks or one or more colors.

Applicant respectfully requests that the Examiner reconsider the rejection in view of the revised claims.

Favorable consideration on the merits is requested.

Respectfully submitted  
for Applicant,

By:



John James McGlew  
Registration No. 31,903  
MCGLEW AND TUTTLE, P.C.

JJM:jj/tf  
71210.6

Enclosed: Abstract of the Disclosure  
(3) Replacement Sheets of Drawings

DATED: December 22, 2004  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE  
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-  
0410.